**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**ORDINARY ORIGINAL CIVIL JURISDICTION**

CHAMBER SUMMONS NO. 289 OF 2007

IN

SUIT NO. 1028 OF 1980

M/s.Wandrekar Enterprises ...Plaintiffs.

V/s.

Davavastra Company & Anr. ...Defendants.

And

Smt.Vimalabai Chhajed & Ors. ...Respondents.

Mr.Suresh Gupte a/w.Roopa Wasudev for the plaintiffs.

Mr.R.S.Champawat for applicant and defendant no.2.

**CORAM : ANOOP Vsf. MOHTA,J.**

**DATED : 16th June, 2007**

**P.C.**

1. By consent the Chamber Summons is allowed in terms of prayer clause (a)(b) and (c) Mr.R.S.Champawat takes notice on behalf of added defendants i.e. 2(a)(i) to 2(a)(xi). The amendment to be carried out within two weeks. Written statement to be filed within three weeks thereafter. Stand over next week i.e. on 22.06.2007 for appointment of the Commissioner.

Prayers in Chamber Summons are as follows :

. (a) This Hon’ble Court be pleased to set aside the abatement caused on account of the death of Defendant No.2 (a), 2(f) and 2(i) abovenamed.

. (b) That delay of about five years in taking out the present Chamber Summons be condoned by this Hon’ble Court.

. (c) This Hon’ble Court be pleased to allow the amendment to the plaint as the Schedule attached to this Chamber Summons.

**[ANOOP V. MOHTA, J.]**